

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

GEORGIA FILM FUND
SEVENTEEN PRODUCTIONS, LLC,

Plaintiff,

vs.

No. 1:14-cv-00032-KG-KK

JUAN SANCHEZ, individually and as
President of the CHILILI LAND GRANT /
LA MERCED DE CHILILI, LA MERCED
DEL PUEBLO DE CHILILI BOARD OF
TRUSTEES, and PATRICK ELWELL,

Defendants.

**ELWELL'S RESPONSE TO THE LAND GRANT'S
MOTION TO DISMISS ELWELL'S CROSS-CLAIMS**

Defendant / Counterclaim Plaintiff / Cross-Claim Plaintiff Patrick Elwell ("Elwell"), by and through his counsel, Espinosa & Associates, P.C. (Richard D. Barish and Leonard G. Espinosa), hereby responds to the Motion to Dismiss Elwell's Cross-Claims of Defendants / Cross-Claim Defendants Juan Sanchez ("Sanchez"), individually and as President of the Chilili Land Grant / La Merced de Chilili, and La Merced del Pueblo de Chilili Board of Trustees (collectively, the "Land Grant"). Elwell states that he was unaware that the Land Grant was a political subdivision of the State, but that, in light of that fact, the Land Grant and Sanchez appear to be correct in their arguments. Elwell accordingly does not oppose dismissal of the claims he has presently asserted against the Land Grant and Sanchez. However, Elwell requests permission to file a motion to amend his Cross-Claim to assert a claim for inverse condemnation and any other appropriate claims prior to the deadline for such motions should he determine, after initial discovery, that he needs to do so in order to be fully compensated for his damages.

Respectfully submitted,

ESPINOSA & ASSOCIATES, P.C.
Electronically signed,

By: /s/ Richard D. Barish

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I CERTIFY that on this 5th day of January, 2015, I caused a copy of the foregoing Response to be served by way of the Court's electronic filing system on the following persons:

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/s/ Richard D. Barish